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NOTE AND COMMENT

LAWYERS AND JURISTS AT THE EXPOSITION.—St. Louis has been this year the meeting place of the Nations. Professor Hozumi, of Tokio, well said at the banquet tendered the speakers and officials of the International Congress of Arts and Science that "this is perhaps the only spot in the world where the representatives of every nation may shake hands together."

The gatherings which most interested lawyers were the International Congress of Arts and Science, the meeting of the American Bar Association and the Universal Congress of Lawyers and Jurists, which were held during the last half of September. The projectors and organizers of these memorable conventions may well be proud of the success that crowned their labors, for while it may be true that a great fair is not the ideal place at which to perform serious work, it is also true that the conventions were successful in bringing together eminent men from all parts of the world who brought with them scholarly contributions to every branch of knowledge. Of the three hundred addresses delivered at the International Congress of Arts and Science those read in the departments devoted to the History of Law and to Jurisprudence will, of course, most concern the lawyer. The addresses in each of these departments are to be published in special volumes which will be of great value to the student of the science of law, coming as they do

from such foreign jurists as Brunialti, La Fontaine, Hozumi and Nerincx, and such Americans as Mr. Justice Brewer, Judge Emlin McClain, Judge Simeon E. Baldwin, Edward B. Whitney, formerly Assistant Attorney General of the United States, and Professors Gregory, Ames, Kirchwey, Lawson, Lewis, Beale, Needham, Wigmore, Burgess, Abbott, Munroe Smith, Scott, Freund and Tucker.

The American Bar Association held its twenty-seventh annual meeting on Monday, Tuesday and Wednesday of the last week in September, immediately following the Congress of Arts and Science. There was an unusually large attendance of members of the Association, and many distinguished foreign jurists, delegates to the other Congresses, were present at most of the sessions. This was a warm week at St. Louis—"unusually warm," the residents said—and the attractions outside the convention hall were many, nevertheless serious consideration was given by speakers and hearers to many important questions. Though no action was taken by the Association on some rather troublesome matters, deferred, too, from last year, still it is well to remember that the importance and value of such meetings are not to be gauged by immediate results alone—impressions are created and suggestions made that often reappear much later in the shape of definite reforms. The address of President James Hagerman was an interesting review of important legislation of the year, though the fact that but one-third of the state legislatures had been in session since the last meeting was noticed, the president remarking: "When you have heard only partially what has been done by those legislatures which have been in action since your last adjournment, I will leave to your imagination to supply what would have been done if the whole range of legislative batteries of the different states had been in martial array." He noticed the "absence from the legislation of the year of any laws touching what may be called the substantive rights of the people in their lives, liberties or properties." * * * "The legislation in the states has nearly all been regulative in character." Speaking of the Philippines Mr. Hagerman said: "Are not the American people submitting to the present tariff between the Philippines and the United States only upon the ground of temporary necessity and because it has not been determined to permanently retain the Philippines? In my judgment the need of the times is that the mandate should go forth to the American people, as the judgment of the American lawyers, that territories can only be permanently held by the United States upon the condition that the residents and inhabitants shall be citizens of the United States, and that there shall be no tariff walls between such territories and the states of the Union, but all shall be within that zone of free trade which has heretofore included our states and territories. In the light of such mandate and with a knowledge of the conditions which it exacts, the American people may intelligently decide what territory is to be permanently retained. I am not one of those who think that it is absolutely essential that all territories of the United States should be admitted to statehood, for I believe that under our system territories can be governed as such in harmony with our republican-democratic constitutional principles. The point which I emphasize is, and it seems to me that the ultimate judgment of the lawyers of the country will enforce

it, that the inhabitants of our territories must be entitled to United States citizenship and they must have free and unvexed trade relations with us. Otherwise there will be a departure from constitutional methods and principles which will be revolutionary in their nature, and lead us to an imperialism which is inconsistent with republican-democratic institutions."

Mr. Justice Brewer two days later also referred to the Philippines, saying: "You can see twenty acres of Philippine life at the World's Fair, but you cannot see a square rod of the Constitution. Perhaps it is because it has been judicially declared there is no connection between the two."

The annual address by Judge Thayer on "The Louisiana Purchase, Its Influence and Development under American Rule," and the paper by Mr. J. M. Dickinson, of Chicago, on "The Alaskan Boundary Case," and that by Mr. Benjamin F. Abbott, of Georgia, on the question "To What Extent will a Nation Protect Its Citizens in Foreign Countries?" will be read with interest by lawyers when they appear in the Association's Annual Report. At the session of the Section of Legal Education Dean Ames, of Harvard, Chairman of the Section, gave an address admirably reviewing the advances made in legal education since the first report to the association on the subject twenty-five years ago, and Dean Kirchwey's paper on "The Education of the American Lawyer" was read by Professor Scott of the Columbia Law School.

In immediate connection with the meeting of the Bar Association a session of the Association of American Law Schools was held on Tuesday afternoon, at which its President, Dean Huffcut, of the Cornell University College of Law, delivered an address on "The Elective System in Law Schools," and Dean Richards, of the University of Wisconsin College of Law read a paper on "Entrance Requirements for Law Schools."

It is perhaps well that no definite action was taken by the Bar Association on the Report of the Committee on Commercial Law and that of the Committee on Jurisprudence and Law Reform. The Association deferred action on the subject of anti-trust legislation, which had been considered by these committees, until its next meeting, and meanwhile the reports will receive thoughtful attention from the members generally. It may be doubted whether all members of the Association will agree with the conclusion of the committee on Jurisprudence and Law Reform that: "Under the clause of the Constitution to regulate commerce Congress has no power to create corporations, except those which have for their object the carrying on of exclusively interstate commerce."

The officers elected for the ensuing year are: President, Henry St. George Tucker; Secretary, John Hinkley; Treasurer, Frederick E. Wadhams.

At the Universal Congress of Jurists and Lawyers which convened on Wednesday, September 28, nearly every nation was represented. Mr. Justice Brewer presided over the opening session, while Sir William R. Kennedy, Justice of the High Court of England, presided over one session during the second day of the Congress.

The Congress was the result of a vast amount of labor on the part of its organizers, and the purpose of bringing together lawyers and jurists from all parts of the world to exchange views on the principles and methods of the

correct administration of justice and to consider and discuss questions of international, municipal and maritime law which concern the welfare of civilized nations, was admirably executed. The chief subjects considered by the Congress were:

"The promotion of the settlement of international controversies by resort to the Hague Tribunal, or reference to special commissions."

"The preferable method of regulating the trial of civil actions with respect to pleading and evidence."

"A review of the four Hague conferences on private international law, the object of the conferences and probable results."

"To what extent should judicial action by courts of a foreign nation be recognized?" (Considered with especial reference to the status of individuals as affected by divorce or other decrees and the right to represent the person or property of another.)

"The protection which should be accorded to private property on the high seas in time of war."

The papers and discussions on these subjects contributed by Hon. John W. Foster, Sr. Don Emilio Velasco, of Mexico, Judge Fahlerantz, of Stockholm, Dr. Hartmann, of Berlin, Prof. Nerinx, of the University of Louvain, Dr. Jitta, of Amsterdam, Dr. Meili, of Zurich, Judge Baldwin, Everett P. Wheeler, of New York, Hon. Wallace Nesbitt, Justice of the Supreme Court of Canada, and Hon. Sir William R. Kennedy, Justice of the High Court of England, are to be printed with a full record of the proceedings of the Congress.

There was time, too, for sociability; the hospitable Missouri Bar Association opened the week by a reception in the Missouri State Building on Monday evening and the Board of Lady Managers of the Exposition held a reception on Friday evening, while on Wednesday the Exposition management generously displaced the Bar Association's annual feast by a splendid banquet at which President Francis—who ought, by the way, to have been a lawyer—felicitously presided.

UNIFORMITY OF STATE LAWS.—The State Boards of Commissioners for Promoting Uniformity of Legislation in the United States held their fourteenth annual conference at St. Louis, September 22-24.

Thirty-one states have appointed commissioners and the conference was well attended. The scope of their work is indicated by the committees appointed: Executive; commercial law; wills, descent and distribution; marriage and divorce; conveyances; depositions and proof of statutes of other states; insurance; congressional action; appointment of new commissioners; purity of articles of commerce; uniform incorporation law; uniform system of accounting in state and municipal affairs; "Torrens System" of land registration. The chief important legislation secured by the commissioners is the Negotiable Instruments Law, adopted now by more than half the states—Kentucky and Louisiana having been added to the list during the past year.

The principal subject for consideration this year was the uniform Sales